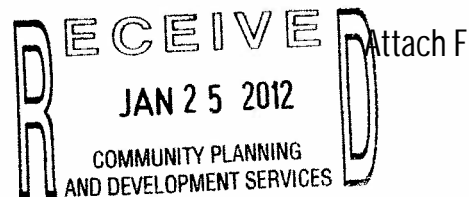




MONTGOMERY COUNTY COUNCIL
ROCKVILLE, MARYLAND



OFFICE OF THE COUNCIL PRESIDENT

January 24, 2012

The Honorable Phyllis Marcuccio
Mayor, City of Rockville
111 Maryland Avenue
Rockville, MD 20850

RE: Annexation Petition (ANX2011-00142)

Dear Mayor Marcuccio:

On December 16, 2011, Mr. Wasilak, Chief of Rockville Planning, notified the Council of the City's intent to annex a 46,690 square foot property located at 9608 Veirs Drive. The property is currently zoned RE-1. Mr. Wasilak asked the Council to provide the City of Rockville with a decision on the City's proposed R-400 Residential Estate zoning of the property before the Mayor and Council holds its public hearing on this matter. We thank the Mayor and Council for the opportunity to respond.

Article 23A, Section 9(c) of the Annotated Code of Maryland provides that no municipality annexing land may, for a period of five years following annexation, place that land in a zoning classification which permits a land use substantially different from the use for the land specified in the current and duly adopted master plan without express approval of the County Council. The area proposed for annexation is within the City's Maximum Expansion Limits as established in the City's Master Plan, the Municipal Growth Element, adopted in December 2010.

In the opinion of the Montgomery County Planning Board, Planning Department Staff, and your own Planning Staff, the City's R-400 Zone is substantially consistent with the County's RE-1 zoning of the property and that of the adjacent properties. We find that there is no prohibition on Rockville's immediate application of the R-400 zone upon the property's annexation.

This correspondence was approved by the County Council on January 24, 2012.

Sincerely,

Roger Berliner
Council President

RB:JZ:srm

